



JC20 Rec'd PCT/PTO SEP 26 2001

PATENT

55865 (71965)

49960 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: S. Toji et al.

Application No.: 09/830,706

Group No.: Not Yet Assigned

Filed: August 7, 2001

Examiner: Not Yet Assigned

For: THIOREDOXIN REDUCTASE II

Box Sequence

Assistant Commissioner for Patents

Washington, D.C. 20231

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE

(check and complete this item, if applicable)

1. [X] This replies to the Office Letter DATED August 22, 2001.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

[X] A copy of the Office Letter is enclosed.

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service  
with sufficient postage as first class mail in an  
envelope addressed to the Assistant  
Commissioner for Patents, Washington, D.C.  
20231.

FACSIMILE

[ ] transmitted by facsimile to the Patent and  
Trademark Office.

Susan M. Dillon  
Signature

Date: 9/24/01

Susan M. Dillon  
(type or print name of person certifying)

## IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Peter F. Corless  
*(type or print name of person signing below)*  
state the following:

### ITEMS BEING SUBMITTED

3. Submitted herewith is/are

*(check each item as applicable)*

- A.  "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. § 1.821(c) and 37 C.F.R. §§ 1.822 and 1.823.
- B.  An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. § 1.821(d).
- C.  A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.
- D.  Please transfer to this application, in accordance with 37 C.F.R. § 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:

Serial No.:

Group No.:

Filed:

Examiner:

For:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form

"Sequence Identifier"

(other application)

(this application)

*NOTE: If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall*

*be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. 1.821(e).*

E.  A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. § 1.821(b).

F.  Because this submission is made in fulfilling the requirement under 37 C.F.R. § 1.821(g), a statement that the submission includes no new matter.

Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. § 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

*(complete applicable item A and/or B)*

A.  Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.

B.  All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

**STATUS**

5. Applicant is

a small entity. A statement:  
 is attached.  
 was already filed.  
 other than a small entity.

**EXTENSION OF TERM**

6.

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. 1.645 for extensions of time in interference proceedings and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

*(complete (a) or (b) as applicable)*

(a) [ ] Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[ ]	one month	\$110.00	\$ 55.00
[ ]	two months	\$390.00	\$ 195.00
[ ]	three months	\$890.00	\$ 445.00
[ ]	four months	\$1,390.00	\$ 695.00

**Fee \$ \_\_\_\_\_**

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

[ ] An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request \$ \_\_\_\_\_**

**OR**

(b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### **FEE PAYMENT**

8. [X] Attached is a check in the sum of \$ \_\_\_\_\_.

Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

### FEE DEFICIENCY

9.

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

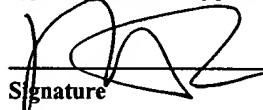
10.  If any additional extension and/or fee is required, charge Account No. 04-1105.

### SIGNATURE(s)

Reg. No. 33,860

Peter F. Corless

(type or print name of person signing statement)



Signature

September 24, 2001  
Date

Dike, Bronstein, Roberts & Cushman  
Intellectual Property Practice Group  
EDWARDS & ANGELL, LLP  
P.O. Box 9169

P.O. Address of Signatory

Boston, MA 02209

(If applicable)

Tel. No.: (617) 439-4444

- Inventor
- Assignee of complete interest
- Person authorized to sign on behalf of assignee
- Practitioner of record
- Filed under Rule 34(a)
- Registration No.
- Other

(specify identity of person signing)

(complete the following, if applicable)

*(type name of assignee)*

Address of assignee

---

---

Title of person authorized to sign on behalf of assignee

A "STATEMENT UNDER 37 C.F.R. 3.73(b)" is attached.

Assignment recorded in PTO on \_\_\_\_\_  
Reel \_\_\_\_\_ Frame \_\_\_\_\_

**SIGNATURE OF PRACTITIONER**

Reg. No.

*(type or print name of practitioner)*

---

Tel. No.: ( )

P.O. Address

---

Customer No.:

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#118272



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 55865-71965

In re patent application of

OJI, SHINGO et al.

Serial No. 09/830,706

Filed: April 27, 2001

For: THIOREDOXIN REDUCTASE II

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

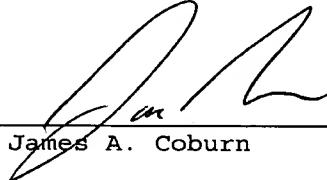
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/830,706

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

Aug. 30, 2001  
Date

  
James A. Coburn

**HARBOR CONSULTING**  
Intellectual Property Services  
1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021

HPC  
55865  
1965

UNITED STATES PATENT AND TRADEMARK OFFICE

## RECEIVED

AUG 24 2001

EDWARDS & ANGELL LLP  
DUKE-BRONSTEIN  
ROBERTS CUSHMANCommissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

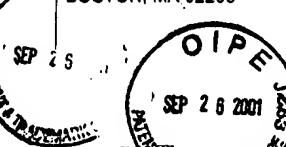
U.S. APPLICATION NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

09/830706

TOJI

S 55865

INTERNATIONAL APPLICATION NO.

PETER F CORLESS  
DIKE BRONSTEIN ROBERTS & CUSHMAN  
P O BOX 9169  
BOSTON, MA 02209

SEP 26 2001 NOTIFICATION OF A DEFECTIVE RESPONSE

DATE MAILED: 22 AUG 2001

1.  The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).

2.  Applicant's response filed \_\_\_\_\_ was received in the Office after the expiration of the period for response set in the Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).

3.  Applicant's response filed 7 aug 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed \_\_\_\_\_ have not been completed.

Translation of the international application into English.  
 which is defective for the reasons indicated on the attached Notice of Defective Translation.

Processing fee (37 CFR 1.492(f)).  
 Oath or Declaration of inventor(s).  
 not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

Surcharge (37 CFR 1.492(e)).  
 Sequence Listing.  
 not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.

Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed:  PCT/DO/EO/917       Notice of Defective Translation  
 PCT/DO/EO/920

Shelby J. Vigil

Telephone: 703-305-3653  
Edwards & Angell LLP  
Duke, Bronstein, Roberts & Cushman  
101 Federal St, Boston, MA 02110  
Date Rec'd: 8/24/01  
Docketed For: 2001-7102, 2002  
Approved: *RV/KD*

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UNITED STATES PATENT AND TRADEMARK OFFICE		AUG 24 2001	
		EDWARDS & ANGELL LLP DIKE BRONSTEIN ROBERTS CUSHMAN	Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231 <a href="http://www.uspto.gov">www.uspto.gov</a>
U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830706		TOJI	S 55865
		INTERNATIONAL APPLICATION NO.	
		PCT/JP99/05983	
		I.A. FILING DATE	PRIORITY DATE
		28 OCT 99	30 OCT 98
DATE MAILED: 22 AUG 2001			
<b>NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES</b>			

**OIPR**  
SEP 26 2001  
PATENTS & TRADEMARKS

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

SHELBY VIGIL, PARALEG

Telephone: 703-305-3653